

REMARKS

Claims 1-4 and 7 are amended herein. Claims 5 and 6 are canceled without prejudice or disclaimer. Support can be found, for example, in the specification on page 3, lines 14-16, page 30, lines 16-22, and in the original claims. Hence no issues of new matter are presented herein.

Accordingly, upon entry of the Amendment, claims 1-5 and 7 will be all of the claims pending in the application.

I. Response to Claim Rejections under 35 U.S.C. § 112, 2nd Paragraph

Claims 1-7 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. The Examiner states that in claim 1, at line 8, the language “smaller than that between adjacent layers in other layers” is unclear and confusing. The Examiner also states that that claim 7 recites a release sheet.

Claim 1 is amended to recite “a volume hologram transfer foil comprising a multilayer structure which comprises . . . wherein when said volume hologram transfer foil is applied on said heat seal layer side to an application member, a peel force between said substrate and said surface protective layer is smaller than that between other adjacent layers in said multilayer structure.”

Claim 7 is amended to recite a “releasable sheet” for consistency with the specification, and not for purposes of patentability.

Accordingly, Applicants respectfully request withdrawal of the rejections.

II. Response to Claim Rejections over the Prior Art

A. Takeuchi et al

1. Claims 1, 3, 4 and 6 are rejected under 35 U.S.C. § 102(b) as allegedly being fully anticipated by Takeuchi et al ‘857.

According to the Examiner, Takeuchi et al '857 describes, in example B-1, a substrate separable by peeling from a protective layer, an embossed resin layer, a metal reflective holographic layer, a fragile layer and a heat sensitive adhesive layer, which corresponds to Figure 4. Figures 8 and 9 are relied on for the disclosure of a peel layer (61) on the lower adhesive layer (62). The Examiner holds that the metal layer is the relief hologram layer, which is an interpretation said to be accepted in the art as evidenced by Kaule CA 2046711 at page 6 describing layer 18 as the embossed hologram layer. The Examiner further states that the relative softening points of the adhesive and the embossed resin layer are inherent as the medium does not come apart when applied.

2. Claims 1, 3, 4 and 6-7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Takeuchi et al '857.

It is the Examiner's position that it would have been obvious to provide the lower adhesive layer of example B-1 or figures 4 or 5 with a peelable protective layer as shown in Figures 8 and 9 to prevent inadvertent adhesion to undesired substrates, i.e., sticking to something before it is ready or to something to which it is not desired upon.

Applicants respectfully traverse the rejections and submit that Takeuchi et al does not disclose, teach or suggest all elements of the claimed invention, namely, a volume hologram transfer foil as recited in the present claims. Therefore the presently claimed invention is neither anticipated nor rendered obvious by Takeuchi et al.

Accordingly, Applicants respectfully request withdrawal of the rejection.

B. Tahara et al

Claims 1, 3, 4 and 6 are rejected under 35 U.S.C. § 102(b) as allegedly being fully anticipated by Tahara et al '048.

According to the Examiner Figure 12 of Tahara et al '048 shows a substrate (34) separable by peeling (35) from a protective layer (37), an embossed resin layer (6), a metal reflective holographic layer, a wavelength selective light blocking layer (11) and a heat sensitive adhesive layer (4) and an ink base information layer (3). The Examiner also references Figures 4, 8 and 9, and repeats the statement above with respect to the interpretation of the metal layer as the relief hologram layer and the relative softening points of the adhesive and the embossed resin layer as inherent.

Applicants respectfully traverse the rejection and submit that Tahara et al does not disclose, teach or suggest all elements of the presently claimed invention. Specifically, Tahara et al does not disclose, teach or suggest a volume hologram transfer foil as presently claimed. Thus, the present invention is not anticipated nor rendered obvious by Tahara et al.

Accordingly, Applicants respectfully request withdrawal of the rejection.

C. Heckenkamp et al

Claims 1, 3, 4 and 6 are rejected under 35 U.S.C. § 102(e) as allegedly being fully anticipated by Heckenkamp et al '752.

According to the Examiner Figure 3 of Heckenkamp et al '752 teaches a substrate (20) separable by peeling (21) from a protective layer (22), a thermoplastic layer (23), a metal reflective holographic layer (24), a protective layer (25) and a heat sensitive adhesive layer (26) (8/15-34).

Applicants respectfully traverse the rejection and submit that Heckencamp et al does not disclose, teach or suggest all elements of the presently claimed invention. Namely, Heckencamp et al does not disclose, teach or suggest a volume hologram transfer foil as recited in the present claims. Thus, the present invention is not anticipated nor rendered obvious by Heckencamp et al.

Accordingly, Applicants respectfully request withdrawal of the rejection.

D. Hattori et al

Claims 1, 3, 4 and 6 are rejected under 35 U.S.C. § 102(e) as allegedly being fully anticipated by , or in the alternative obvious over Hattori et al '979.

According to the Examiner, Figure 24e of Hattori et al '979 teaches a substrate (44b) separable by peeling (44a1) from a protective resin layer (44a9), an adhesive layer (44a8), a metal reflective holographic layer (44a2), an interlayer (44a4) and a heat sensitive adhesive layer (44a3) (15/23-56). Useful adhesives including ethylene vinyl acetate, ethylene ethylacrylate, ethylene acrylic acid resins, etc., are also disclosed (23/25-46). The use of various holograms is disclosed (24/1-67). The Examiner further states that the relative softening points of the adhesive layers are inherent as the medium does not come apart when applied.

Applicants respectfully traverse the rejection and submit that Hattori et al does not disclose, teach or suggest all elements of the claimed invention. Specifically, Hattori et al does not disclose, teach or suggest a volume hologram transfer foil as recited in the present claims. Thus, the present invention is not anticipated, nor rendered obvious over Hattori et al.

Accordingly, Applicants respectfully request withdrawal of the rejection.

E. Morii et al

Claims 1-5 and 7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Morii et al '378.

According to the Examiner, Morii et al '378 teaches laminates such as that of Figures 6b and 10a, which comprise a protective layer (7), an adhesive layer (5''), a hologram layer (6), a second adhesive layer (5') and a removable substrate (see illustrative example 4, col. 27-28). The laminate of frame 10b comprises a protective layer (7), an adhesive layer (5''), a hologram layer (6), a second

adhesive layer (5'), a reflective layer (9) a third adhesive layer (5) and a removable substrate (11). Useful volume holographic recording materials are disclosed (12/28-16/35). Useful adhesive layer materials include acrylic, acetate, gelatin, casein, polyvinyl acetate and hot melt resins (12/7-27 and 33/49-65). The surface of the surface protective layer (7) may be provided with a release layer and a rigid film initially adhered to it and then peeled from it (18/33-52).

It is the Examiner's position that it would have been obvious to one skilled in the art to modify the invention of the illustrative example by providing the surface protective layer with a release layer and a peelable substrate based upon the disclosure to do so. The relative softening points of the adhesive layers are inherent as the medium does not come apart when applied.

Applicants respectfully traverse the rejection and submit that Mori et al does not disclose, teach or suggest the presently claimed invention. Specifically, Mori et al does not disclose, teach or suggest a thermoplastic resin layer comprising a coating layer in which a heat-sealable, water-soluble adhesive agent is dissolved or dispersed in water or a solvent as recited in the present claims.

In the present invention, the coating layer obtained by dissolving or dispersing the heat-sealable, water-soluble adhesive agent in water or the aqueous solvent is used as the thermoplastic resin layer, and the presence of the remaining water or aqueous solvent prevents migration of the low-molecular-weight components such as the organic solvent remaining in the transparent protective layer and volume hologram layer (see page 32, lines 9-10 of the specification). This is evident from a comparison of Example 1 with Comparative Example 1 in the specification. Thus, one of ordinary skill in the art would not have had a reasonable expectation of success in achieving the claimed invention in view of the disclosure of Mori et al.

Accordingly, Applicants respectfully request withdrawal of the rejection.

F. Morii et al in view of Kaule

Claims 1-7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Morii et al '378 in view of Kaule CA 2046711.

Morii et al is relied on as discussed above. According to the Examiner, Kaule CA 2046711 teaches a holographic transfer film comprising a substrate (10), a separation layer (12), a protective film (14), an embossed layer (16), a metallic holographic layer (18), a protective layer (20) and an adhesive layer (22) and a peelable substrate (pages 5 and 6). The adhesive layer (22) may be colored black (page 6). The use of volume holographic materials, rather than embossed or relief holograms is disclosed (page 6).

It is the Examiner's position that it would have been obvious to one skilled in the art to modify the invention to use other types of holograms, such as relief holograms in the resultant embodiment of Morii et al '378 discussed above, based upon the disclosure of equivalence by Kaule CA 2046711.

Applicants respectfully traverse the rejection and submit that Morii et al does not disclose, teach or suggest all elements of the claimed invention as discussed above. Further, Kaule does not remedy the deficiencies of Morii et al. Specifically, Kaule merely refers to the bearing of the protective film 14 on the embossed layer 16 (see page 5, lines 23-25) and does not disclose, teach or suggest a thermoplastic resin layer comprising a coating layer in which a heat-sealable, water-soluble adhesive agent is dissolved or dispersed in water or a solvent as recited in the present claims. Therefore, the combination of Morii et al and Kaule does not render the claimed invention obvious.

Accordingly, Applicants respectfully request withdrawal of the rejection.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 09/885,944

Attorney Docket No.: Q65162

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

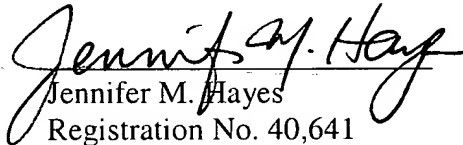
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER


Jennifer M. Hayes
Registration No. 40,641

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